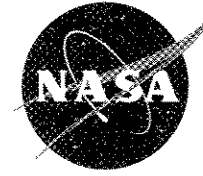


National Aeronautics and Space Administration  
George C. Marshall Space Flight Center  
Marshall Space Flight Center, AL 35812



March 9, 2010

Reply to Attn of:

LS01 (AMM)

MEMORANDUM FOR RECORD

FROM: LS01/James R. Frees

SUBJECT: Blanket Approval for MSFC Employees to attend a VIP Reception and Premiere of the IMAX Movie *Hubble* Presented by Lockheed Martin and The U.S. Space & Rocket Center Foundation

In accordance with 5 C.F.R. 2635.204(g)(2) and (3), I make the following determination:

NASA employees have been invited to attend the VIP Reception and U.S. Space & Rocket Center (USSRC) Premiere of the IMAX Movie *Hubble* at the U.S. Space & Rocket Center Museum and IMAX Theater. This event will take place the evening of March 18, 2010, and is presented by Lockheed Martin and the U.S. Space & Rocket Center Foundation. The evening's festivities will begin with the reception at 6:00 p.m., followed by speaker, Astronaut Dr. Story Musgrave, at 7:00 p.m. Then, the movie premiere of *Hubble* will be shown.

This event will be a widely-attended gathering of NASA and military officials, including NASA Hubble project managers; local elected officials; Congressional representatives; and business and community leaders. The cost per person for refreshments is valued at \$10 and the cost of the IMAX movie is \$8. Approximately 225 people have been invited to attend. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 CFR §2635.204(g)(2).

I have determined that free attendance at the above mentioned event is in the interest of the agency because it will further agency programs and operations. The attendance of NASA employees at the event will help to raise NASA's profile with state and local business and governmental leaders, will contribute to community relations, and will support NASA's statutory mandate to disseminate information about its activities. Given the purpose of the event, the broad attendance anticipated, and the nominal market value of this event, I have determined that the value to the agency in having employees attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees that have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. NASA employees whose duties may substantially affect Lockheed Martin are not covered in this

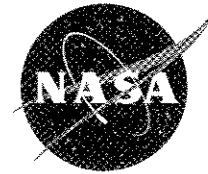
determination and should seek a specific determination from this office pursuant to 5 CFR 2635.204(g)(3)(i) regarding their participation in this event.

Lockheed Martin is a lobbying organization and is registered as such under the Lobbying Disclosure Act. Therefore, NASA employees in non-career positions for which the Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsor the cost of the event for themselves and accompanying guests.

Questions about this determination may be addressed to Annette Metcalf Coffel at 256-544-0025.

  
James R. Frees  
Deputy Chief Counsel

National Aeronautics and Space Administration  
George C. Marshall Space Flight Center  
Marshall Space Flight Center, AL 35812



March 9, 2010

Reply to Attn of: LS01 (AMM)

## MEMORANDUM FOR RECORD

FROM: LS01/James R. Frees

SUBJECT: Approval for MSFC Employees with Senior Institutional or Project Responsibilities to attend a VIP Reception and Premiere of the IMAX Movie *Hubble* Presented by Lockheed Martin and The U.S. Space & Rocket Center Foundation

In accordance with 5 C.F.R. 2635.204(g)(2) and (3), I make the following determination:

Certain MSFC employees with senior institutional or project responsibilities have been invited to attend the VIP Reception and U.S. Space & Rocket Center (USSRC) Premiere of the IMAX Movie *Hubble* at the U.S. Space & Rocket Center Museum and IMAX Theater. This event will take place the evening of March 18, 2010, and is presented by Lockheed Martin and the U.S. Space & Rocket Center Foundation. The evening's festivities will begin with the reception at 6:00 p.m., followed by speaker, Astronaut Dr. Story Musgrave, at 7:00 p.m. Then, the movie premiere of *Hubble* will be shown.

This event will be a widely-attended gathering of NASA and military officials, including NASA *Hubble* project managers; local elected officials; Congressional representatives; and business and community leaders. The cost per person for refreshments is valued at \$10 and the cost of the IMAX movie is \$8. Approximately 225 people have been invited to attend. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 CFR §2635.204(g)(2).

Lockheed Martin is currently providing contractual services to NASA, and will seek to provide contractual services to NASA in the future. Some MSFC personnel invited to attend this event presently, or may in the near future, have extensive involvement in matters relating to Lockheed Martin in their pursuit to provide, or seek to provide, contractual services to NASA.<sup>1</sup> These

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<sup>1</sup> Center Director; Deputy Director; Associate Director; Acting Director, MAF Transition Office; Director, Office of Center Operations; Director, Office of Strategic Communications; Director, Engineering Directorate; Director, Office of Human Capital; Director, Office of the Chief Information Officer; Acting Manager, Exploration Launch Office; Chief Counsel; Manager, Shuttle Propulsion Office; Director, Office of Equal Opportunity; Director, Office of Procurement; Director, Safety and Mission Assurance Directorate; Chief, Office of the Chief Financial Officer; Acting Director, Science and Mission Systems Office.

personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future contracts for Lockheed Martin.

I have determined that free attendance of these senior institutional and project leaders at the event is in the interests of the agency because it will further agency programs and operations. The attendance of these senior NASA employees at the event will help to raise NASA's profile with state and local business and governmental leaders, will contribute to community relations, and will support NASA's statutory mandate to disseminate information about its programs.

Given the purpose of the event, NASA's interest in it, the broad attendance anticipated, and the nominal market value of the event, I have determined that the value to the agency in having these senior institutional and project leaders attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified above may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests.

Lockheed Martin is a lobbying organization and is registered as such under the Lobbying Disclosure Act. Therefore, NASA employees in non-career positions for which the Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsor the cost of the event for themselves and accompanying guests.

Questions about this determination may be addressed to Annette Metcalf Coffel at 256-544-0025.

  
James R. Frees  
Deputy Chief Counsel